



DRAFT AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/220,293

PATENT APPLICATION

REMARKS

Claims 1-31 are all the claims pending in the application.

Applicants acknowledge the Examiner's request for formal drawings. Applicants will submit revised formal drawings when the application is allowed.

The Examiner requests that the specification be amended so that it reflects the current status of the related U.S. Applications. The foregoing amendments are believed fully responsive to this objection.

Claims 1-4, 6, 10-11, 13, 17-18, 20, 24-25 and 29 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 6-9, 12, 15-16, 19, 22-23 and 27, respectively, of co-pending Application No. 09/220,291. Claims 1-5 stand rejected under 35 U.S.C. §102(e) as being anticipated by Mullins (U.S. Patent No. 5,857,197). Claims 6-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mullins in view of Ludwig et al. (hereinafter Ludwig) (U.S. Patent No. 6,006,230). The Examiner has allowed claims 10-31. Applicants respectfully traverse these rejections, and request reconsideration and allowance of the pending claims in view of the following arguments.

As a preliminary matter, Applicants note that the Office Action Summary sheet fails to acknowledge a claim for domestic priority under 35 U.S.C § 119(e). Applicants respectfully point out that the present application claims priority from provisional application 60/086,382, filed on May 22, 1998. This priority claim has been noted on the Official Filing Receipt.

Accordingly, Applicants respectfully request that the Examiner provide the appropriate priority acknowledgement.

In another preliminary matter, Applicants respectfully acknowledge the Examiner's indication that claims 10-31 have been allowed. However, Applicants have the following brief comments concerning the Examiner's Statement of Reasons for Allowance.

Applicants note that the allowed claims are directed to method and apparatus claims. To the extent that the Examiner's Statement might be construed as implying that the claimed method could only be practiced using an apparatus with the characteristics set forth in the Statement, Applicants would respectfully disagree. Each claim stands on its own; attributes of apparatus claims should not be imputed to method claims, and vice versa.

In response to the obviousness-type double patenting rejections, Applicants submit herewith a terminal disclaimer in compliance with 37 C.F.R. §1.321(c), and the required fee as set forth in 37 C.F.R. §1.20(d). Accordingly, Applicants request reconsideration and withdrawal of this rejection.

Concerning the prior art rejections, the Examiner asserts that Mullins discloses a schema adapter that maps assets to the data stored in the data store, and that this schema adapter transfers data to and from the data store. The Examiner refers to Mullins, at col. 3, lines 1-7; col. 4, lines 49-61, which refers to a "second adapter". Applicants respectfully disagree with the Examiner's characterization.

Mullins is directed to a system and method for accessing a data store, but does not teach transferring of data to and from the data store, as claimed in the present application. Looking at the cited portions of Mullins reveals a description of how adapters are used to dynamically load

data store access code at runtime. However, this portion of Mullins lacks any discussion of transferring data to and from the data store.

Looking at Mullins in more detail reveals that in claim 1 Mullins recites “a second adapter ... having a meta data map ... providing the data content from at least one data store” (emphasis added). Moreover, Mullins specifically states that the use of its technology provides “read only” data stores over the Internet (Mullins at col. 7, lines 64-66). In describing this system, Mullins states that a request is passed from an application program to a first adapter 400, and then on to a second adapter 500 (Mullins at col. 7, lines 39-54). The second adapter 500 then searches a meta data map 206 using information obtained from the request to determine if a data map exists (Mullins at col. 7, lines 55-60). The Mullins system then utilizes the found meta data map and request information to access the data store to retrieve the data store content (Mullins at col. 8, lines 1-6). The data store content is then communicated back to the application program (Mullins at col. 8, lines 6-17).

Mullins is therefore describing a system that processes application requests for information, ultimately leading to the communication of data store content to a requesting application. Put another way, Mullins is simply describing a query-only system that permits the communication of stored data to an application program, and does not provide any teaching or suggestion of the transfer of data to and from a data store.

In contrast to the Mullins system, Applicants’ independent claim 1 specifically recites a schema adapter for mapping the assets to the data stored in the data store and for transferring the data to and from the data store in response to methods invoked by the client application. Thus,

the invention recited in the independent claims provides at least one schema adapter for transferring data to and from the data store.

Thus, while Mullins provides a severely limited “read only” functionality, the present invention (claim 1) includes read-write capabilities since this claim recites a client application that can transfer data to and from the data store.

Applicants therefore assert that the Mullins “read only” system does not teach or suggest Applicants’ schema adapter for transferring data to and from the data store, as specifically recited in the independent claim. Accordingly, independent claim 1, and its dependencies, are patentable.

The Examiner next rejects claims 6-9 under 35 U.S.C. §103(a) as being unpatentable over Mullins in view of Ludwig.

Applicants have demonstrated in the independent claim argument above that Mullins does not teach or suggest at least one feature that is recited in those claims. Applicants further assert that Ludwig does not supply any of Mullins’ deficiencies. Accordingly, claims 6-9 are patentable at least by virtue of their dependence on the patentable independent claim 1.

Thus, even if one skilled in the art were to combine the teachings of Mullins, with that taught by Ludwig, the resulting combination would not result in Applicants’ claimed invention (claims 6 -9), and therefore these claims are patentable.

Applicants also provide the following additional comments concerning claim 6. In the Office Action, the Examiner asserts that Ludwig discloses that “at least one client adapter is

identified by a unique identifier” (Ludwig at col. 7, lines 59 -61). Applicants respectfully disagree.

Looking at the cited portions of Ludwig reveals that the “unique pointers or identifiers” relate to the actual storage location of each record in the database file. In other words, while Ludwig discusses “unique pointer and identifiers,” these identifiers relate to the database storage location of a record (Ludwig at col. 7, lines 59 -61).

In contrast to the Ludwig system, Applicants’ claim 6 specifically recites that each of the at least one client adapter is identified by a unique identifier. While Ludwig utilizes “unique pointer and identifiers” to identify the database storage location of a record, this technique is clearly distinguishable from Applicants’ use of a unique identifier to identify the at least one client adapter. In other words, Applicants utilize a “unique identifier” to provide identification of the at least one client adapter, whereas Ludwig utilizes “identifiers” to identify the actual storage location of each record in the database file.

Applicants therefore assert that Ludwig’s identification of a record storage location does not teach or render obvious the identification of “at least one client adapter” by a unique identifier, as recited in claim 6. Accordingly, claim 6 is patentable for these additional reasons.

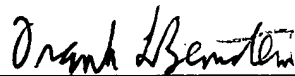
The Examiner’s rejections having been overcome, Applicants submit that the subject application is in condition for allowance. The Examiner is respectfully requested to contact the undersigned at the telephone number listed below to discuss other changes deemed necessary. Applicants hereby petition for any extension of time which may be required to maintain the

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pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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23493
PATENT TRADEMARK OFFICE

Date: June 29, 2001

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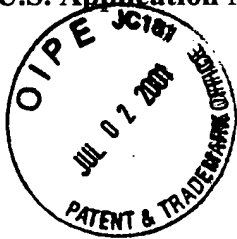
Assistant Commissioner for Patents
Washington, D.C. 20231

Date: June 29, 2001

Signed: _____



Sherry L. Cadruvi



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Page 1, third paragraph:

Serial No. [] 09/219,933, entitled "A Configurable And Extensible System For Deploying Asset Management Functions To Client Applications" to William J. Baer, I-Ming Kao, Pedro Jacob, Janet L. Murray, Deidra S. Picciano, Jerry D. Robertson and James A. Willey;

Page 1, fourth paragraph:

Serial No. [] 09/219,934, entitled "Method And Apparatus For Using Classes, Encapsulating Data With Its Behaviors, For Transferring Between Databases And Client Applications And For Enabling Application To Adapt To Specific Constraints Of The Data" to William J. Baer, I-Ming Kao, Pedro Jacob, Janet L. Murray, Deidra S. Picciano and Jerry D. Robertson; and

Page 1, fifth paragraph:

Serial No. [] 09/220,291, entitled "entitled "Method And Apparatus For Dynamically Customizing And Extending Functions Of A Server Program To Enable And Restrict Functions Of The Server" to William J. Baer, I-Ming Kao, Pedro Jacob, Janet L. Murray, Deidra S. Picciano and Jerry D. Robertson.